



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-2

Stanley R. DeWaal, Treasurer
The Capitol Committee
257 East 200 South, Suite 950
Salt Lake City, UT 84111

FEB 7 1996

Identification Number: C00235572

Reference: Mid-Year Report (1/1/95-6/30/95)

Dear Mr. DeWaal:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion(s) attached) disclosed a contribution(s) which appears to exceed the limits set forth in the Act. The Act precludes a committee from receiving contributions from another political committee or a person in excess of \$5,000 per calendar year. 2 U.S.C. §441a(f)

The Commission notes the refund of the amount in excess of \$5,000 to Baruch Korff. Please be advised that the refunded amount should be disclosed on Schedule B supporting Line 28(a) on the report covering the period during which the refund was made. Although the Commission may take further legal action concerning the acceptance of an excessive contribution(s), your prompt action in refunding the contribution(s) will be taken into consideration.

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received

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sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the extent that your committee has received impermissible funds, the Commission recommends that you transfer the impermissible funds to an account not used to influence federal elections or refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). In order to protect the donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of receiving a refund or granting written authorization for a transfer to another account.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

-For future reporting, please be advised that only contributions to federal candidates and political committees should be itemized on a separate Schedule B supporting Line 23 of the Detailed Summary Page. Contributions to non-federal candidates and committees should be itemized on Schedule B supporting Line 29.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,

Debbie Manzano

Debbie Manzano
Reports Analyst
Reports Analysis Division

SCHEDULE A
THE CAPITOL COMMITTEE

I T E M I Z E D R E C E I P T S

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LINE 11A

NAME/ADDRESS	GEN/PRI	EMPLR/OCC	AGRT-TOTAL	DATE	AMOUNT
INZUNZA RICARDO 5500 HOLMES RUN PRKWY		PLATINUM INT. EXECUTIVE		02/02/95	1,000.00
ALEXANDRIA	VA 22304 PRIMARY		1,000.00		
KEEFE THOMAS M 7222 BELLERIVE #1507		SELF EMPLOYED CONSULTANT		05/26/95	1,000.00
HOUSTON	TX 77036 PRIMARY		1,000.00		
KORFF BARUCH 133 BROWN ST		RETIRED		01/17/95	6,500.00
PROVIDENCE	RI 02906 PRIMARY		6,500.00		
KORFF BARUCH 133 BROWN ST		RETIRED		04/18/95	3,000.00
PROVIDENCE	RI 02906 PRIMARY		9,500.00	(REFUNDED 4,500.00)	
LUCIDO LOUIS C 2384 W OLD HIGHWAY RD		LUCIDO RANCH RANCHER		03/03/95	5,000.00
MORGAN	UT 84050 PRIMARY		5,000.00		
MARTINEZ ROBERTO 5295 SW 92ND STREET		GREENBERG, TRAUIG ATTORNEY		05/01/95	1,000.00
MIAMI	FL 33156 PRIMARY		1,000.00		

SCHEDULE A
THE CAPITOL COMMITTEE

I T E M I Z E D R E C E I P T S

PAGE 4
LINE 11C

NAME/ADDRESS	GEN/PRI	EMPLR/OCC	AGRT-TOTAL	DATE	AMOUNT
THE PAUL LAXALT GROUP 801 PENNSYLVANIA AVE NW SUITE 750 WASHINGTON	DC 20004 PRIMARY		1,000.00	02/02/95	1,000.00
TORCHMARK CORP PAC 2001 THIRD AVENUE SOUTH BIRMINGHAM	AL 35233 PRIMARY		2,000.00	05/29/95	2,000.00
VIAPAC 1501 M STREET NW SUITE 1100 WASHINGTON	DC 20005 PRIMARY		2,000.00	03/06/95	2,000.00
OVERALL TOTALS			34,500.00		34,500.0

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